Office of the Commissioner for Federal Judicial Affairs Canada

2012-2013

Departmental Performance Report

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Minister of Justice and Attorney General of Canada

Table of Contents

Commissioner's Message **1**

Section I: Organizational Overview **2**

Raison d'être 2
Responsibilities 2
Strategic Outcome and Program Alignment Architecture 3
Organizational Priorities 3
Risk Analysis 6
Summary of Performance 7
Expenditure Profile 7
Estimates by Vote 8
Contribution to the Federal Sustainable Development Strategy (FSDS) .. 9

Section II: Analysis of Programs and Sub-Programs by Strategic Outcome **10**

Strategic Outcome—An independent and efficient federal judiciary 10
Payments Pursuant to the *Judges Act* 11
Canadian Judicial Council 12
Federal Judicial Affairs 13
Services to Judges 14
Judges Language Training 16
Federal Courts Reports 17
Judicial Appointments Secretariat 18
Judicial Compensation and Benefits Commission 19
Internal Services 20

Section III: Supplementary Information **22**

Financial Statements Highlights 22
Supplementary Information Tables 24
Tax Expenditures and Evaluations Report 24

Section IV: Other Items of Interest **25**

Organizational Contact Information 25
Additional Information 25

Commissioner's Message

As the Commissioner for Federal Judicial Affairs, I am pleased to present the Office's Departmental Performance Report for 2012-2013. The Office of the Commissioner for Federal Judicial Affairs was created in 1978 under the *Judges Act* to provide support and services to the federal judiciary and promote the independence of the judiciary. An independent and effective judiciary is fundamental to our system of justice and I am proud of the role our Office plays in supporting that goal.

During the past year our Office continued to provide high quality services to 1100 federally appointed judges, as well as close to 900 pensioners and survivors. We provided support and administrative services to the Canadian Judicial Council and its committees. At the request of the Minister of Justice we provided administrative support to the judicial appointments process and the Supreme Court of Canada appointments process.

The following pages describe the activities undertaken in 2012-2013 in furtherance of our mandate and particular steps that we have taken to improve and enhance the services we provide. These include a comprehensive review of all our services and business processes, an assessment of the controls in place, and ongoing improvements to our information management and supporting technology.

I wish to thank all of our staff for their excellent work during the year. Our success depends upon their dedication and professionalism.

William A. Brooks
Commissioner

Section I: Organizational Overview

Raison d'être

The department provides services to the Canadian judiciary and promotes judicial independence. The Minister of Justice is responsible for this organization.

Mission Statement

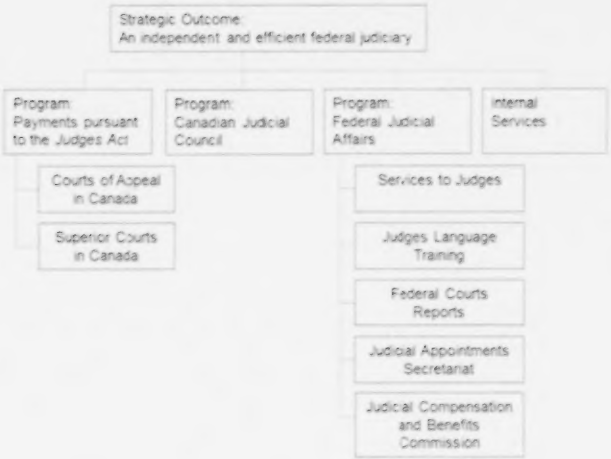
To provide excellent services and support to the federal judiciary in a manner that promotes the independence of the judiciary and the confidence of Canadians in our judicial system.

Responsibilities

Section 73 of the *Judges Act* provides for the establishment of an officer, called the Commissioner for Federal Judicial Affairs, who shall have the rank and status of a deputy head of a department. Section 74 sets out the duties and functions of the Commissioner. The Office of the Commissioner :

- administers Part I of the *Judges Act* by providing judges of the Federal Court of Appeal, the Federal Court, the Tax Court of Canada and federally appointed judges of provincial and territorial superior courts with salaries, allowances and annuities in accordance with the *Judges Act*;
- prepares budgetary submissions and provides administrative services to the Canadian Judicial Council; and
- conducts such other tasks as the Minister of Justice may require in connection with any matters falling, by law, within the Minister's responsibilities for the proper functioning of the judicial system in Canada. These include: the operation of the Judicial Appointments Secretariat; support to the Supreme Court of Canada appointments process; publication of the *Federal Courts Reports*; the provision of language training to judges; the coordination of judicial international cooperation activities; and support to the Judicial Compensation and Benefits Commission.

Strategic Outcome and Program Alignment Architecture



FJA seeks to deliver high-quality services to the Canadian Judiciary in a manner which supports and promote judicial independence. In this regard, FJA contributes to the following strategic outcome: **An independent and efficient federal judiciary**.

Organizational Priorities

Priority	Type	Strategic outcome/ programs
Client Services. FJA's primary duty and responsibility is to administer the *Judges Act* and to provide all federally appointed judges with the support services that they require to fully carry out their judicial mandate.	Ongoing	An independent and efficient federal judiciary (all programs)
Summary of Progress		
FJA continued to provide high levels of service to clients in terms of core services such as payment of judges' salaries, allowances and annuities. A Client Satisfaction Survey conducted in 2011 showed a 91% satisfaction level. The Federal Courts Reports Client Satisfaction Survey, also conducted in 2011, revealed that its users are satisfied that their needs are being met. With the objective of improving services and identifying efficiencies, FJA conducted reviews of its key business processes, including administrative services to the judiciary, salary administration for payments to the judges, pension administration, judicial appointments, *Federal Courts Reports* publishing and use of desktop publishing software, judges' language training, and expense claim processing. Follow up action was taken to implement service improvements identified.		

Priority	Type	Strategic outcome/ programs
Corporate planning and reporting. Establish a formal system of corporate policy development, planning, performance measurement and program evaluation which integrates Human Resource Planning.	Ongoing	An independent and efficient federal judiciary (all programs)
Summary of Progress		
Integrated business and workforce management plans have been developed for all the programs and sub-programs. During 2012-2013, consultants were engaged to conduct an overall risk assessment, review the appropriateness and adequacy of the entity level controls in place, and do documentation, design & implementation and operational effectiveness testing of the salary and pension administration processes. FJA took steps to improve the monitoring of its staffing practices. The next step will be the development of service standards and more structured monitoring of performance against these standards.		

Priority	Type	Strategic outcome/ programs
Information management/ systems. Improve and develop systems and improve the management of information, data and knowledge resource holdings.	Ongoing	An independent and efficient federal judiciary (all programs)
Summary of Progress		
Information Technology maintained a high level of availability and quality of operation, and various upgrading initiatives were pursued to align FJA systems with government-wide ones and to improve efficiency (e.g., reduce double entry of data). Consultants were engaged to assist in establishing a three-year plan for the implementation of an Information Management solution. Priorities have been identified and FJA is proceeding with implementation: for example, updating the information architecture; enhancing records management procedures; and implementing electronic tracking and management of correspondence.		

Priority	Type	Strategic Outcome and programs
Security. Maintain expertise for all aspects of security, including physical security of FJA clients, employees, visitors, facilities, data, information and systems and to ensure FJA is compliant with the Government Security Policy.	Ongoing	An independent and efficient federal judiciary (all programs)
Summary of Progress		
Work progressed to upgrade security through enhancements in software and the network intrusion system. Training and awareness was provided to departmental staff. FJA is compliant with the Government Security Policy and fully meets the Security policy, although the last Management Accountability Framework (MAF) assessment indicated that additional work is required. A draft Departmental Security Plan was prepared and progress has been made in meeting government-wide requirements of the MITS (Management of Information Technology Security).		

Risk Analysis

Some of the risks facing FJA are set out as follows:

Risk	Risk Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
Maintaining judicial independence in the context of government-wide centralization of common services and shared services	The *Judges Act* provides that the Commissioner for Federal Judicial Affairs has responsibilities for the administration of pay and benefits of federally appointed judges. Given the centralization of common services and shared services government-wide, there is increasing pressure on FJA to transfer pay and pension administration for judges to common service agencies. Discussions are ongoing with central agencies to explain the unique mandate of FJA and how this initiative may impact judicial independence as well as service levels to judges. FJA is also implementing efficiencies and aligning its processes and systems with federal systems, for example, through direct deposit and improved web applications.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act*	Services to judges
Lack of ongoing funding to sustain all FJA activities in the way ahead	No base funding exists for FJA support for the appointment of Supreme Court of Canada judges; support to the Judicial Compensation and Benefits Commission; and support to the international activities of the judiciary. To date, FJA has funded these activities through internal efficiencies or external project funding (e.g., CIDA). This represents a challenge in the long term depending on demands placed on FJA.	▪ An independent and efficient federal judiciary ▪ Canadian Judicial Council ▪ Federal judicial affairs	Services to judges
Errors (e.g., payments, vacancy lists, procurement)	The *Judges Act* establishes a unique and complex regime for payment of judges' salaries, allowances, benefits and annuities. Challenges include interpretation of legislation and ensuring consistency of approach in a high volume of transactions environment. Current strategies are 100% verification, use of technology to minimize errors, staff training, and reviews of internal controls.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act* ▪ Internal services	Performance measurement/ quality assurance
Renewal of legacy systems	Once pay and pension modernization are completed government-wide, PWGSC will no longer be able to support the Judges Annuitant System. As a way forward, PWGSC earmarked funding for developmental costs towards a new system, and will continue to support FJA until a new solution is finalized.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act*	Services to judges/ security
Security and safety of judges and personal information	This risk applies mainly in the context of international activities conducted by the judges abroad. Cyber security is also a threat, as well as maintaining the security and privacy of personal information.	▪ Federal judicial affairs ▪ Service to Judges	Security

Summary of Performance

More detailed figures are provided by program on the following page.

Financial Resources – Total Departmental ($ millions)

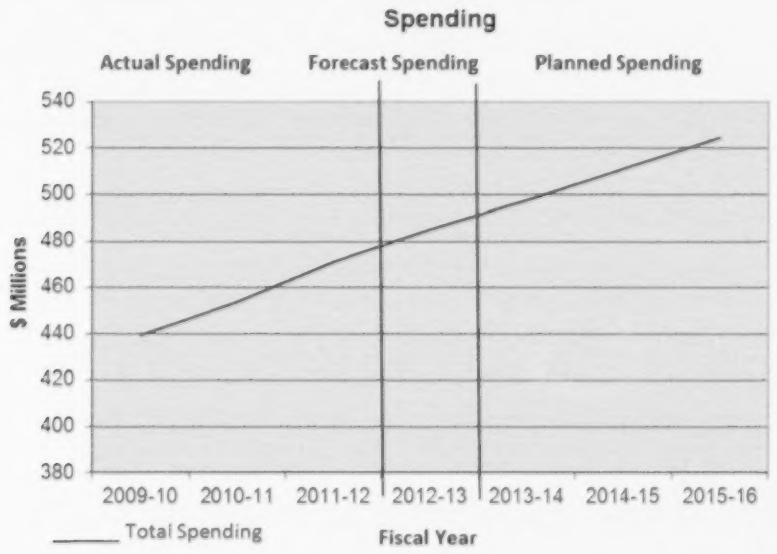
Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference (Planned vs. Actual Spending)
485.0	485.0	485.6	485.1	0.1

Human Resources (Full-Time Equivalents — FTEs)

Planned 2012–13	Actual 2012–13	Difference 2012–13
70	62	8

Expenditure Profile

Departmental Spending Trend



Actual spending for 2012-2013 is closely aligned with planned spending and the Main Estimates for 2012-2013. The total spending shows a gradual increase in actual and planned spending largely resulting from the annual increase in judges' salaries based on the Industrial Aggregate as provided for in the *Judges Act* well as an increase number of pensioners receiving benefits under the *Judges Act*.

Performance Summary Table for Strategic Outcome and Programs ($ millions)
Strategic Outcome: An independent and efficient federal judiciary.

Program	Total Budgetary Expenditures (Main Estimates 2012–13)	Planned Spending			Total Authorities (available for use) 2012–13	Actual Spending (authorities used)			Alignment to Government of Canada Outcomes
		2012–13	2013–14	2014–15		2012–13	2011–12	2010–11	
Payment Pursuant to the *Judges Act*	474.7	474.7	487.5	500.9	474.2	474.2	459.8	443.2	Safe and Secure Communities
Canadian Judicial Council	1.7	1.7	1.7	1.7	1.8	1.7	1.9	1.7	Safe and Secure Communities
Federal Judicial Affairs	7.7	7.7	7.6	7.6	8.7	8.3	8.6	7.8	Safe and Secure Communities
Sub-total	484.1	484.1	496.8	510.2	484.7	484.2	470.3	452.7	

Performance Summary Table for Internal Services ($ millions)

Internal Services	Total Budgetary Expenditures (Main Estimates 2012–13)	Planned Spending			Total Authorities (available for use) 2012–13	Actual Spending (authorities used)		
		2012–13	2013–14	2014–15		2012–13	2011–12	2010–11
Sub-total	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9

Total Performance Summary Table ($ millions)

Strategic Outcome(s) and Internal Services	Total Budgetary Expenditures (Main Estimates 2012–13)	Planned Spending			Total Authorities (available for use) 2012–13	Actual Spending (authorities used)		
		2012–13	2013–14	2014–15		2012–13	2011–12	2010–11
Total	485.0	485.0	497.7	511.1	485.6	485.1	471.2	453.6

Estimates by Vote

For information on the Office of the Commissioner for Federal Judicial Affair's organizational Votes and/or statutory expenditures, please see the *Public Accounts of Canada 2013 (Volume II)*. An electronic version of the Public Accounts 2013 is available on the Public Works and Government Services Canada website (http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html).

Contribution to the Federal Sustainable Development Strategy (FSDS)

FJA undertook a number of initiatives to support the Going Green initiative in the Public Service and at the same time increase efficiency and reduce costs. These initiatives included an electronic information kit for newly appointed judges that is currently under development to replace an expensive paper-based kit; promotion of direct deposit of expense claims for judges; electronic posting and transmission of information bulletins and notices and elimination of paper mail-outs; computerized staffing files in a move to electronic staffing; and scanning of all correspondence to the Executive Office. FJA is contributing to a reduced energy and HVAC consumption since the implementation of our Virtual Servers Environment (30 physical servers have been replaced by 5). Energy efficiency is considered in equipment procurement.

FJA is a voluntary participant in the Federal Sustainable Development Strategy (FSDS) and contributes to the Greening Government Operations target through the Internal Services program activity. The department contributes to Theme IV (Shrinking the Environmental Footprint-Beginning with Government) of the FSDS.

For additional details on FJA's Greening Government Operations activities, please see the List of Supplementary Information Tables in Section III.

Section II: Analysis of Programs and Sub-Programs by Strategic Outcome

Strategic Outcome—An independent and efficient federal judiciary

Strategic Outcome: An independent and efficient federal judiciary		
Performance Indicators	**Targets**	**Actual Results**
Judges' view of the contribution of the Office to judicial independence	90% of judges are satisfied with the administration of the judiciary and feel it effectively contributes to their independence	91% of judges said they were either "very" or "somewhat satisfied" with the services provided by FJA. Satisfaction scores were consistently high across specific FJA service areas. (*2011 Client Satisfaction Survey*).

A high proportion of judges (91% based on the most recent client satisfaction survey conducted in 2011) consider FJA to be doing a good job. All programs and services of FJA contribute to achieving this outcome. This section contains a discussion of results of the various FJA programs and related sub-programs:

- Payments pursuant to the *Judges Act*
- Canadian Judicial Council
- Federal Judicial Affairs (includes Service to Judges, Judges Language Training, Federal Courts Reports, Judicial Appointments Secretariat, and Judicial Compensation and Benefits Commission)
- Internal Services

Payments Pursuant to the *Judges Act*

Payments of salaries, allowances and annuities to federally appointed judges, and their survivors, in the superior courts and courts of appeal in Canada.

Financial Resources – Payments Pursuant to the *Judges Act* ($ millions)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
474.7	474.7	474.2	474.2	0.5

Human Resources (Full-Time Equivalents — FTEs[1]) – Payments Pursuant to the *Judges Act*

Planned 2012–13	Actual 2012–13	Difference 2012–13
0	0	0

Performance Results – Payments Pursuant to the *Judges Act*

Expected Results	Performance Indicators	Targets	Actual Results
Accurate payment of salaries, allowances and annuities as per *Judges Act*	Less than 2% errors on payments	Less than 2%	All payments are verified to ensure compliance with the *Judges Act*.
Comprehensive, up-to-date and validated files are kept on all judges and their survivors	Less than 2% of files that are not up-to-date or are missing information	Less than 2%	All judges and their survivors have comprehensive, up-to-date and validated files.

Performance Analysis and Lessons Learned

Steps have been taken to ensure greater consistency in the application of policies, rules, and entitlements, and thereby maintain public confidence in the judiciary. Transactions are monitored using checklists. 100% verification is done of all expense claims to avoid errors and ensure a consistent interpretation of the *Judges Act*. Processes have been documented, and internal controls reviewed with external support. A detailed process review was conducted of administrative services to the judiciary, and decision rules were documented for future reference.

Canadian Judicial Council

Administrative support to the various committees established by the Council which is composed of 39 Chief Justices and Associate Chief Justices in Canada as well as the Senior Judges from the superior courts in Nunavut, Yukon and the Northwest Territories.

Financial Resources – Canadian Judicial Council ($ millions)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
1.7	1.7	1.8	1.7	0

Human Resources (Full-Time Equivalents — FTEs[1]) – Canadian Judicial Council

Planned 2012–13	Actual 2012–13	Difference 2012–13
11	10	1

Performance Results – Canadian Judicial Council

Expected Results	Performance Indicators	Targets	Actual Results
Effective functioning of Canadian Judicial Council committees.	CJC members satisfied with the administration and support of their committees.	Number of Committee Chairpersons satisfied with secretariat support.	The chairpersons reported being satisfied with CJC services.

Performance Analysis and Lessons Learned

The secretariat, comprised of 11 employees, provides support to the Canadian Judicial Council in support of its mandate to foster the better administration of justice in Canada in terms of efficiency, uniformity, accountability and judicial conduct.

During the course of the fiscal year, Council's Committees, Sub-committees and Working Groups met on a regular basis to undertake their work in line with the Council's mandate. For example, the Council published guidelines for Judges and court staff on the increasing role that technology plays in modern courtrooms, in particular, information technology policies, the filing and sharing of documents electronically, and a comparative analysis of key characteristics of court administration systems. The Chairpersons of the various committees continue to be very satisfied with the level of support they receive.

The Canadian Judicial Council reviews complaints made against the federally appointed judges. The complexity of complaints has been steadily increasing. During 2012-2013, the CJC received 138 complaints, and 131 complaints were closed. At year end, 44 complaints were under review, compared to 37 at the end of the previous fiscal year.

Judicial Conduct Activities	2009-2010	2010-2011	2011-2012	2012-2013
Number of complaints received	161	156	185	138
Number of complaints closed	167	140	190	131
Number of open complaints under review at year-end	29	42	37	44
Other conduct-related correspondence (no. of letters)	83	114	163	233

Federal Judicial Affairs

Provides services to federally appointed judges including compensation and pension services, financial services, information technology/information management, language training, editing of the *Federal Courts Reports*, services to the Minister of Justice through the Judicial Appointments Secretariat including the Supreme Court of Canada.

Financial Resources – Federal Judicial Affairs ($ millions)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
7.7	7.7	8.7	8.3	0.6

Human Resources (Full-Time Equivalents — FTEs[1]) – Federal Judicial Affairs

Planned 2012–13	Actual 2012–13	Difference 2012–13
51	44	7

Performance Results – Federal Judicial Affairs

Expected Results	Performance Indicators	Targets	Actual Results
Federally appointed judges have access to timely, high-quality, and cost effective services.	Satisfaction of judges with services provided	90% of judges are satisfied with services provided	91% of judges said they were either "very" or "somewhat satisfied" with the services provided by FJA. Satisfaction scores were consistently high across specific FJA service areas. (*2011 Client Satisfaction Survey*).

FJA continued to provide a high level of service to clients in terms of core services such as payment of judges' salaries, allowances and annuities. A Client Satisfaction Survey of judges, completed in 2011, assessed the opinions of judges regarding the satisfaction of judges with services provided by FJA. The survey also collected performance assessments of each FJA sub-program.

The 2011 Survey showed a 91% satisfaction level. The judges were generally very satisfied with FJA services as satisfaction scores for each service were in the 80% or higher range. Three areas identified as important to achieving continuous improvement were: identifying points of contact, streamlining processes and timeliness of responses.

FJA conducted a number of process reviews to identify opportunities to streamline processes and improve services, and has implemented follow-up actions. These include:

- Administrative services to the judiciary
- Salary administration for payments pursuant to the *Judges Act*
- Pension administration for payments pursuant to the *Judges Act*
- Judicial appointments including the Supreme Court appointments process
- *Federal Courts Reports* publishing and use of desktop publishing software
- Judges' Language Training Program
- Expense claim processing

Services to Judges

Provide financial services; human resources, compensation and pension services; information management/technology services; and international cooperation activities, to federally appointed judges in the superior courts in Canada.

Financial Resources – Services to Judges ($ millions)

Planned Spending 2012–13	Actual Spending 2012–13	Difference 2012–13
4.7	5.4	0.7

Human Resources (Full-Time Equivalents — FTEs) – Services to Judges

Planned 2012–13	Actual 2012–13	Difference 2012–13
34	28	6

Performance Results – Services to Judges

Expected Results	Performance Indicators	Targets	Actual Results
Timely and accurate administration of the Order-in-Council process.	Percentage of Order-in-Council submissions prepared within service standards.	100% of submissions prepared within service standard of 5 days.	100% of all Order-in-Council submissions were prepared within the service standard.
Efficient and effective administration of Judges' compensation and benefits programs and processes.	Percentage of compensation and benefits claims processed within service standards.	95% of compensation and benefits claims processed within service standards.	Over 90% of compensation and benefits claims transactions were processed within service standards.
Accurate and timely processing and validation of claims received for expenses in compliance with the *Judges Act* and internal guidelines governing financial management.	Percentage of expense claims processed and validated for entry into tracking system.	100% of expense claims compliant with *Judges Act* and departmental policies and guidelines.	100% of all claims received were audited to ensure compliance to departmental policies and guidelines.
	Percentage of expense claims processed within service standard.	90% of claims processed within service standard of 10 days.	Over 95% of expense claims were processed within the 10 day service standard.
Access to a trusted and reliable judicial email and collaboration tool.	Percentage of time core system available to users.	Core systems available 98% of time on an annual basis.	JUDICOM system availability was 99% during 2012-2013.
	Percentage of judges satisfied with system.	75% of judges satisfied with system.	76% of judges were satisfied with the JUDICOM system according to 2011 Client Satisfaction Survey.

Performance Analysis and Lessons Learned

The scope of this service includes compensation and pension administration services for 1,100 judges and 900 pensioners and survivors. FJA administers a budget in excess of $470 million annually which pays for judges' salaries, allowances and annuities, relocation and travel expenses; and reviews and processes some 20,000 expense claims per year.

FJA continues to meet service standards with respect to the range of services provided through the lifecycle of a federal judge position, for example, preparing Order-in-Council submissions upon initial appointment (within 5 days); bringing a judge "on board" (within 1 month of appointment); responding to benefits inquiries from judges (within 2 days); processing retirement documentation (within 1 month); issuing a pension in the event of death (within 3 months). With some exceptions, expense claims are processed within a 10 day standard; the majority of claims are processed under 5 days.

JUDICOM provides judges with email, a secure and restricted communication system, and a virtual library. Federally appointed judges are able to collaborate effectively, sharing information through JUDICOM. About three-quarters of judges (76%) are satisfied with the JUDICOM system; based on the 2011 Client Satisfaction Survey. 75% of judges considered JUDICOM to be an important tool and 87% used the system monthly. The JUDICOM system remained functional more than 99% of the time. A Service Desk provided timely and professional services.

FJA provides judges with support, assistance and advice with respect to their involvement in international work and projects. During 2012-2013, FJA arranged for the participation of judges in international projects in Jamaica, Ghana, Peru, Maldives, West Bank, Ukraine, and Mexico funded by the Canadian International Development Agency (CIDA) and the Department of Foreign Affairs and International Trade Canada (DFAIT). FJA also responded to international requests from foreign organizations for access to Canadian judicial expertise and courts, and provided support and assistance to the Superior Courts in responding to and managing these requests. The cost of managing the implementation of international cooperation projects has been met through cost recovery from other funding agencies (primarily the former Canadian International Development Agency).

FJA has undertaken a number of initiatives to improve the efficiency of the services to judges:

- A new online information kit is being developed for newly appointed judges.
- A security feasibility assessment was conducted of the electronic management of judges' expense claims to assess signature options, implementation costs and risks.
- Judges can now view the balances of their incidental and representational allowances online on demand through a self-serve module in JUDICOM. This will improve service, reduce calls from judges and replace the monthly paper mail-outs to judges.
- A number of upgrades were made to the Phoenix application used for pay and pension to eliminate double entry of claim data into the Phoenix and financial systems; enable better data comparison and analysis of judges' and pensioners' benefits; improve the publication of benefit statements; and provide self-serve access to enterprise data by FJA employees and thereby eliminate the cost of external licenses and maintenance contracts.

Judges Language Training

Provide language training services in both official languages to federally appointed judges.

Financial Resources – Judges Language Training ($ millions)

Planned Spending 2012–13	Actual Spending 2012–13	Difference 2012–13
1.5	1.4	0.1

Human Resources (Full-Time Equivalents — FTEs) – Judges Language Training

Planned 2012–13	Actual 2012–13	Difference 2012–13
6	5	1

Performance Results – Judges Language Training

Expected Results	Performance Indicators	Targets	Actual Results
Federally appointed judges have access to timely, high-quality, and cost effective language training services.	Number of days for judge to complete registration, and be assessed and assigned a tutor.	30 days	Target met (100%) of time.
	Satisfaction with language training (based on FJA Client Satisfaction Survey).	90% of judges satisfied.	In 2011, 88% of Judges said they were satisfied with the language training services (87% in 2008).

Performance Analysis and Lessons Learned

The ability of judges to function in both official languages was enhanced through FJA's provision of accessible, high quality language training. Language training, in individual, immersion, or intensive training sessions, enabled judges to acquire and improve their knowledge and skills in both official languages and legal terminology. Thus more judges are able to preside in court, understand testimony, read legal texts, write judgments and participate in legal conferences in their second language. Judges have established learning objectives and are registered and assigned a tutor within 30 days. Nine out of ten judges say they are satisfied with the service provided (based on the Client Satisfaction Survey). Demand is high as the number of participants (roughly 25% of judges) has been increasing each year.

Language training	2010-2011	2011-2012	2012-2013
New judges registered each year	36	32	33
Judges registered	246	249	255
Immersion sessions/ number of judges enrolled	6/230	6/214	6/214
Judges in private training sessions	165	175	191
Training hours in private/intensive courses	6202	6795	7288
Language training products developed	15	16	24
Language assessments	29	30	28

FJA delivered private language training through languages schools and universities; the Canada School of Public Service delivered the language training in previous years. Increased use of external language trainers has placed an additional burden on FJA to ensure a continuous supply of qualified instructors and to do quality assurance in addition to program development. Language training was delivered at a cost of $47 per hour, well within industry standards.

Federal Courts Reports

Publish the *Federal Courts Reports* (FCR), which are the official reports of the decisions of the Federal Court of Appeal and of the Federal Court, pursuant to section 58 of the *Federal Courts Act*. Only decisions that are of significance or importance are published.

Financial Resources – Federal Courts Reports ($ millions)

Planned Spending 2012–13	Actual Spending 2012–13	Difference 2012–13
1.0	1.0	0

Human Resources (Full-Time Equivalents — FTEs) – Federal Courts Reports

Planned 2012–13	Actual 2012–13	Difference 2012–13
8	8	0

Performance Results – Federal Courts Reports

Expected Result	Performance Indicators	Targets	Actual Results
Timely, accurate and bilingual publishing of selected Federal Courts decisions.	Percentage of decisions rendered published per year.	5% of decisions rendered published per year.	4.8% of decisions rendered were published in 2012-2013.
	Percentage of selected cases published within service standards.	75% of selected cases are published within 24 months.	100% of cases were published within average of 22 months.
	Number of Parts published per year.	12 parts published per year.	11 parts were published.
	Number of erratum published per year.	No more than 5 errata published per year.	0 erratum published in 2012-2013.

Performance Analysis and Lessons Learned

The *Federal Courts Reports* brings significant new decisions to the profession's attention, facilitates legal research by including quality value-added features, and ensures a permanent record of important decisions while making the best use of new technologies and keeping up with the changing demands of the legal and judicial communities and the general public. Decisions are made available in print and on the Internet. In a 2011 client satisfaction survey, preserving a permanent, authentic record of decisions of precedential value was considered the *Federal Courts Reports*' most important mandate. 5% of judgments are selected for publishing, with input from an advisory committee in certain cases.

In 2012-2013, 60 judgments were published as full-text reports and 86 as digests. Quality value-added features include headnotes, captions, tables and lists. The Reports undergo a thorough editorial process, including translation accuracy confirmation. Timeliness has suffered due to reduced resources—full-text decisions were published in print on average within 22 months of being rendered in 2012-2013, and digests within 7 months. Full-text decisions are also available online within 19 months.

Federal Courts Reports	2009-2010	2010-2011	2011-2012	2012-2013
Judgments received	1587	1695	1859	1615
Judgments selected as reports/as % of judgments received	75/4.7%	88/5.2%	66/3.6%	77/4.8%
Judgments selected as digests/as % of judgments received	103/6.5%	152/9.0%	120/6.5%	78/4.8%
Decisions published	75	78	62	60
Digests published	161	139	129	86
Parts printed	10	13	13	11
Pages printed	2637	3258	2714	2890
Reports average delay (months)	13.8	15.8	16.6	21.5

The focus in 2012-2013 was on modernizing the publication process and achieving efficiencies through greater electronic collaboration in its processes, in-house use of desktop publishing tools, publishing decisions on the web site before their reproduction in final form in the print version, and ongoing improvements to the Web product.

Judicial Appointments Secretariat

Administration of the judicial appointments process on behalf of the Minister of Justice in a way that treats all candidates for judicial office fairly and in which assessments are completed expeditiously and thoroughly.

Financial Resources – Judicial Appointments Secretariat ($ millions)

Planned Spending 2012–13	Actual Spending 2012–13	Difference 2012–13
0.5	0.5	0

Human Resources (Full-Time Equivalents — FTEs) – Judicial Appointments Secretariat

Planned 2012–13	Actual 2012–13	Difference 2012–13
3	3	0

Performance Results – Judicial Appointments Secretariat

Expected Results	Performance Indicators	Targets	Actual Results
Fair Judicial Appointments process.	Percentage of applications screened and ready to be assessed by Committees.	95% of applications screened and ready to be assessed by Committees within service standard (3 months).	Over 95% of applications were screened and ready to be assessed by Committees within a 3-month period.

Performance Analysis and Lessons Learned

The judicial appointments process contributes to an independent judiciary by ensuring an effective and fair candidate assessment process. The Judicial Appointments Secretariat administers, on behalf of the Minister of Justice, 17 Advisory Committees across Canada, comprised of 133 members in total, who evaluated 497 candidate applications for federal judicial appointments in the year ending October 31, 2012. Over 95% of applications received by FJA (515 applications in total during 2011-2012) were screened and ready for review by committee within three months. The number of applications outstanding increased slightly from 167 at the beginning of the year to 185 at year end. During the year, 43 judicial appointments were made.

The Minister of Justice has also requested that FJA provide administrative support to and coordinate the process for the appointment of judges to fill vacancies at the Supreme Court of Canada. This is being done from current FJA resources.

Following a process review carried out in 2011, FJA has been assessing options to automate the current judicial appointments process.

Judicial Compensation and Benefits Commission

Administration of the Judicial Compensation and Benefits Commission to inquire into the adequacy of the salaries and other amounts payable under the *Judges Act* and into the adequacy of judges' benefits generally.

Performance Results – Judicial Compensation and Benefits Commission

Expected Results	Performance Indicators	Targets	Actual Results
Process for determining salaries and benefits of judges supports the independence of the federal judiciary.	At least every four years	Final report and recommendations	Final report and recommendations

Performance Analysis and Lessons Learned

The Judicial Compensation and Benefits Commission was established under paragraph 26(1) of the *Judges Act* to examine, every four years, the adequacy of the salaries and other amounts payable to federally-appointed judges under the Act, and inquire into the adequacy of judges' benefits generally. FJA provides support and funding to the Quadrennial Commission, and the Commissioner is responsible for the implementation of its recommendations approved by Parliament.

The fourth Commission was convened on September 1, 2011, and public hearings were held in February 2012. The report of the fourth Judicial Compensation and Benefits Commission was provided to the Minister of Justice in May 2012, and the government response was provided in October 2012. FJA provided administrative support to the Commission, including secretariat support as well as providing data and statistics to the members. This support was provided from existing financial resources and totalled $54,000 in 2012-13.

The commissioners conducted the hearings in an effective and timely manner and delivered their report well before the statutory deadline. The government released its response to the commission's report more than a month in advance of the statutory deadline for a response and subsequently introduced the necessary implementing legislation in Parliament.

Internal Services

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of the organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across the organization and not to those provided specifically to a program.

Financial Resources – Internal services ($ millions)

Total Budgetary Expenditures (Main Estimates) 2012–13	Planned Spending 2012–13	Total Authorities (available for use) 2012–13	Actual Spending (authorities used) 2012–13	Difference 2012–13
0.9	0.9	0.9	0.9	0

Human Resources (Full-Time Equivalents—FTEs[1]) – Internal services

Planned 2012–13	Actual 2012–13	Difference 2012–13
8	8	0

Performance Results – Internal Services

Expected Results	Performance Indicators	Targets	Actual Results
Resources are allocated and expended in a cost-effective manner in accordance with the department's Strategic Plan.	Departmental lapse of resources.	Annual budgetary lapse under 5%.	Actual departmental lapse in 2012-2013 was 5%.
Department successfully attracts and retains the right people at the right time to meet its current and future business needs.	Percentage of staff and management satisfied with Human Resources services.	80% of staff and management are satisfied with Human Resources services.	As per PSES 2011, 76% of staff and management believe that we hire people who can do the job.
A model workplace.	Percentage of staff satisfied with the organization.	80% of staff are satisfied with the organization.	As per PSES 2011, 68% of departmental staff would recommend FJA as a good place to work.
Information technology tools are available to meet departmental needs.	Percentage of time the systems are available to users.	Core systems available 98% of the time on an annual basis.	Core systems were available 99% of the time.

Performance Analysis and Lessons Learned

FJA continued to meet the expectations of managers and employees with respect to human resources, financial management, procurement, information technology and other administrative services. The main improvement areas pursued during 2012-13 are noted below.

Information management. FJA began implementation of the Management Action Plan on the Office of the Comptroller General Horizontal Audit on Electronic Record Keeping. Specific actions included:

- Updating the information architecture, enhancing the security of the file structure, and developing a new file structure and retention schedule for records management.
- Reviewing the file structure of the 17 public appointment judicial advisory committees across the country to improve the structure and collection of crucial information, reducing the number of files 57 to 37, and digitizing more than 800 files to make better use of the filing room and eliminate unnecessary paper files.
- Implementing electronic tracking and managing of correspondence and the ability to automatically store completed forms and correspondence in a pre-determined file upon completion, so as to route correspondence in a structured process and quicken the movement and retrieval of correspondence.

Implementation of policy on internal controls. During 2012-2013, consultants were engaged to conduct an overall risk assessment, review the appropriateness and adequacy of the entity level controls in place, and do documentation, design & implementation and operational effectiveness testing of the salary and pension administration processes. Follow-up action was taken to address gaps identified, for example, financial delegation authorities.

Improving organizational efficiency. As a follow-up to a departmental organizational review undertaken in 2011, FJA undertook three division organizational/process efficiency reviews in 2012-13. This had a direct impact on staffing; a key focus of FJA was to support affected employees and support human resources planning.

Human resources planning. The principal human resources risk facing FJA is the loss of expertise and corporate memory from the retirement of long-serving experienced staff, and the lack of in-house expertise and back up in specialized areas. FJA continued to do succession and integrated HR planning to mitigate this risk.

Staffing audit. An audit of FJA appointments by the Public Service Commission (PSC) was followed up by steps taken to improve the monitoring of its staffing practices.

Systems enhancements. FJA is part of the cluster of small departments and agencies that is making the transition from HRIS human resources information system to PeopleSoft.

Section III: Supplementary Information

Financial Statements Highlights

The financial highlights presented within this DPR are intended to serve as a general overview of FJA's financial position and operations.

Condensed Statement of Operations and Departmental Net Financial Position

Office of the Commissioner for Federal Judicial Affairs Canada Condensed Statement of Operations and Departmental Net Financial Position (Unaudited) For the Year Ended March 31, 2013 ($ millions)					
	2012–13 Planned Results	**2012–13 Actual**	**2011–12 Actual**	**$ Change (2012–13 Planned vs. Actual)**	**$ Change (2012–13 Actual vs. 2011–12 Actual)**
Total expenses	477.1	486.5	472.8	9.4	13.7
Total revenues	17.5	14.0	13.8	3.5	0.2
Net cost of operations before government funding and transfers	459.6	472.5	459.0	12.9	13.5
Departmental net financial position	183.7	181.9	173.9	1.8	8.0

Condensed Statement of Financial Position

Office of the Commissioner for Federal Judicial Affairs Canada Condensed Statement of Financial Position (Unaudited) As at March 31, 2013 ($ millions)			
	2012–13	**2011–12**	**$ Change**
Total net liabilities	188.8	179.1	9.7
Total net financial assets	6.2	4.8	1.4
Departmental net debt	182.6	174.3	8.3
Total non-financial assets	0.7	0.4	0.3
Departmental net financial position	181.9	173.9	8.0

The departmental net debt shows an increase of $8.3 million over the previous fiscal year. This increase is a result of a provision in the *Judges Act* that allow for an annual increase in salaries to judges based on the Industrial Aggregate and an increase in the number of pensioners receiving benefits under the *Judges Act*.

Financial Statements

The department's financial statements can be found on FJA's website at:

http://www.fja.gc.ca/fja-cmf/publications/index-eng.html

Supplementary Information Tables

- Greening Government Operations
- Sources of Respendable and Non-Respendable Revenue

All electronic supplementary information tables listed in the 2012–13 Departmental Performance Report can be found on FJA's website:

http://www.fja.gc.ca/fja-cmf/publications/index-eng.html

Tax Expenditures and Evaluations Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the Tax Expenditures and Evaluations publication. The tax measures presented in the Tax Expenditures and Evaluations publication are the sole responsibility of the Minister of Finance.

Section IV: Other Items of Interest

Organizational Contact Information

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Additional Information

Information about the Canadian Judicial Council, its mandate and programs are found at the Council's website:
http://www.cjc-ccm.gc.ca

The Executive Summary of the 2011 Client Satisfaction Survey can be found at FJA's website:
http://www.fja.gc.ca/fja-cmf/publications/index-eng.html

Legislation Administered by the Office of the Commissioner for Federal Judicial Affairs Canada:

The Minister has sole responsibility to Parliament for the following Act:
Judges Act (R.S.C., 1985, c. J-1), December 2012

Public Accounts of Canada 2013, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

Treasury Board of Canada Secretariat, http://www.tbs-sct.gc.ca/tbs-sct/index-eng.asp